

# JOURNAL OF THE FLORIDA SENATE

Monday, May 19, 1975

The Senate was called to order by the President at 2:00 p.m.  
A quorum present—40:

Mr. President	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Saylor	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Prayer written by Senator Holloway and delivered by the Senate Chaplain:

We thank you for our many rights, our many freedoms, our many privileges, and for the abundance of daily help which we receive from thee;

We thank you for this senate and for its members who unselfishly give of their time and talents in the continuance of the work of this great state and of its concern for the preservation of these, your gifts, which we receive from you.

Please give us the strength, the wisdom, the knowledge and the ability to carry the principles of freedom and concern for the existence of mankind today in a manner which will be acceptable in your sight.

Please bless us and keep us and cause your grace to shine upon us and continue to instill in us the need for your daily help. Amen.

The Senate pledged allegiance to the flag of the United States of America.

Senator J. Thomas introduced the "Gulf Kirk Ringers", bell-ringers from the First Presbyterian Church, Naples, who presented several musical selections for the Senate.

## REPORTS OF COMMITTEES

The Committee on Health and Rehabilitative Services recommends the following pass: SB 940 with 1 amendment

The bill was referred to the Committee on Governmental Operations under the original reference.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1276

The bill was referred to the Committee on Ways and Means under the original reference.

The Committee on Health and Rehabilitative Services recommends the following pass:

SB 576 with ten amendments  
SB 1149 with two amendments

The bills were placed on the calendar.

The Committee on Education recommends a Committee Substitute for the following: SB 509

The bill with Committee Substitute attached was referred to the Committee on Ways and Means under the original reference.

The Committee on Education recommends a Committee Substitute for the following: SB 340

The bill with Committee Substitute attached contained in the foregoing report was placed on the calendar.

The Committee on Education recommends a Committee Substitute for the following: SB 218

The bill with Committee Substitute attached was referred to the Committee on Governmental Operations.

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Monday, May 19, 1975:

HB 2100	SB 90	SB 81	SB 265
SB 791	SB 607	SB 16	SB 259
SB 294	SB 344	SB 567	SB 302
SB 505	SB 191	SB 581	SB 430

*Respectfully submitted,  
Lew Brantley, Chairman*

By direction of the President the following Conference Committee Report was read:

## CONFERENCE COMMITTEE REPORT ON CS FOR CS FOR SB 123

The Honorable Dempsey J. Barron  
President of the Senate

The Honorable Donald L. Tucker  
Speaker, House of Representatives

Sirs:

Your conference committee on the disagreeing votes of the two houses on CS/CS/SB 123, same being:

An act relating to environmental reorganization; providing a declaration of policy; defining terms; creating the Department of Environmental Regulation; creating five environmental districts and authority for subdistricts; creating the Environmental Regulation Commission and review of the decisions of the commission by the governor and cabinet; providing for appeals under chapter 253 to the governor and cabinet; providing for the governor and cabinet to perform the duties of the Department of Pollution Control Board under the Florida Electrical Power Plant Siting Act; providing for exemption of certain activities from state regulation; transferring the Department of Pollution Control to the Department of Environmental Regulation except for certain powers, duties and functions vested in the governor and cabinet and relating to open burning; transferring certain powers, duties and functions of the Department of Health and Rehabilitative Services to the Department of Environmental Regulation and providing for interagency agreements with county health units; transferring certain powers, duties and functions of the Board of Trustees of the Internal Improvement Trust Fund to the Department of Environmental Regulation; transferring certain powers, duties and functions of the Department of Natural Resources to the Department of Environmental Regulation, prescribing certain planning functions; creating divisions of the Department of Natural Resources; merging the Board of Trustees of the Internal Improvement Trust Fund into the Department of Natural Resources except for certain powers, duties and functions relating to trademarks, copyrights and patents; transferring the powers, duties and functions of the Department of Health and Rehabilitative Services relating to shellfish to the Department of Natural Resources; transferring certain powers, duties and functions of the Department of Natural Resources relating to boat registration to the Department of Highway Safety and Motor Vehicles; transferring certain powers, duties and functions of the Bureau of Waterways of the Department of Natural Resources to the Department of Transportation; transferring certain powers, duties and functions of the Division of Interior Resources of the Department of Natural Resources relating to navigation districts and waterways development to the Department of Transportation; transferring the Canal Authority of Florida to the Department of Transportation; abolishing the Coastal Coordinating Council and reassigning its powers, duties, staff and functions to the Division of Resource Management of the Department of Natural Resources; providing authority for the alignment of units and functions of the Department of Environmental Regulation and the Department of Natural Resources below the division level; requiring reports to the legislature; providing for cooperation among affected agencies; providing for nonabrogation of rules and legal or administrative proceedings; directing the Division of Statutory Revision and

Indexing to perform certain tasks; repealing s.20.25(17), Florida Statutes, relating to the functions of the Game and Fresh Water Fish Commission; repealing s.20.26, Florida Statutes, relating to the creation of the Department of Pollution Control; repealing s.253.136, Florida Statutes, relating to the rules for permitting procedures of the Board of Trustees of the Internal Improvement Trust Fund; repealing s.253.122, Florida Statutes, relating to the fixing of bulkhead; repealing s.20.77, Florida Statutes, 1974 Supplement, relating to the creation and renaming of the Board of Trustees of the Internal Improvement Trust Fund; providing for severability; providing an effective date.

having met, and after full and free conference, do recommend to their respective Houses as follows:

1. That the House of Representatives recede from Amendments Number 1 and Number 2;
2. That the Senate and House of Representatives adopt the Conference Committee amendments attached hereto, and by reference made a part of this report; and
3. That the Senate and House of Representatives pass the Committee Substitute for Committee Substitute for Senate Bill 123, as amended by the attached Conference Committee amendments.

Philip D. Lewis  
W. D. Childers  
Guy Spicola  
Jon C. Thomas  
John W. Vogt

Managers on the part of the  
Senate

W. E. Fulford  
Elaine Bloom  
A. H. Craig  
Gene Hodges  
S. Curtis Kiser

Managers on the part of the  
House of Representatives

**Conference Committee Amendment 1**—Strike everything after the enacting clause and insert: Section 1. Short title.—This act shall be known and may be cited as the Florida Environmental Reorganization Act of 1975.

**Section 2. Declaration of policy.**—Reasserting the policy of the Governmental Reorganization Act of 1969, as stated in s.20.02, Florida Statutes, that structural reorganization should be a continuing process, and recognizing that 6 years have passed since the 1969 reorganization, it is the intent of the legislature to promote the efficient, effective and economical operation of certain environmental agencies by centralizing authority over and pinpointing responsibility for the management of the environment, by authorizing the delegation of substantial decision-making authority to the district level, and by consolidating compatible administrative, planning, permitting, enforcement and operational activities. Further, it is the intent of this act to promote proper administration of Florida's landmark environmental laws.

### PART I

**Section 3.** When used in this act the term, phrase or word:

- (1) "Commission" means the Environmental Regulation Commission.
- (2) "Department" means the Department of Environmental Regulation.
- (3) "Environmental district center" means the facilities and personnel which are centralized in each district for the purposes of carrying out the provisions of this act.
- (4) "District" or "environmental district" means one of the geographical areas, the boundaries of which are established pursuant to this act.
- (5) "Manager" means the head of an environmental district who shall supervise all environmental functions of the department within such environmental district.
- (6) "Secretary" means the secretary of the Department of Environmental Regulation.
- (7) "Subdistrict" means a geographical area, the boundaries of which may be established as a part of a district.
- (8) "Channel" is a trench, the bottom of which is normally covered entirely by water, with the upper edges of its sides normally below water.

(9) "Canal" is a man-made trench, the bottom of which is normally covered by water with the upper edges of its sides normally above water.

(10) "Drainage ditch and/or irrigation ditch" is a man-made trench dug for the purpose of draining water from the land or for transporting water for use on the land and is not built for navigational purposes.

(11) "Swale" is a man-made trench which only contains contiguous areas of standing or flowing water following the occurrence of rainfall or flooding.

(12) "Standard" means any rule of the Department of Environmental Regulation relating to air and water quality, noise, and solid waste management. The term "standard" does not include rules of the department which relate exclusively to the internal management of the department, the procedural processing of applications, the administration of rule making or adjudicatory proceedings, the publication of notices, the conduct of hearings, or other procedural matters.

**Section 4. Department of Environmental Regulation.**—There is created a Department of Environmental Regulation.

(1) The head of the department is the secretary of environmental regulation, who shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) There shall be an assistant secretary appointed by and serving at the pleasure of the secretary.

(3) The following divisions of the Department of Environmental Regulation are established:

- (a) Division of Administrative Services;
- (b) Division of Environmental Programs; and
- (c) Division of Environmental Permitting.

(4) There shall be a manager for each environmental district who shall be appointed by and serve at the pleasure of the secretary. The manager shall maintain his office in the environmental district center, which shall be collocated with the office of a water management district to the maximum extent practicable.

(5) The secretary shall establish environmental districts. The environmental districts shall be collocated with the water management districts to the maximum extent practicable. The secretary shall have the authority to adjust the environmental district boundaries to best serve the purposes of this act.

(6) The secretary may establish subdistricts with one branch office in each, for the purpose of making services more accessible to the citizens of each district.

(7) There is created as a part of the Department of Environmental Regulation an Environmental Regulation Commission. The commission shall be composed of seven citizens of this state appointed by the governor, subject to confirmation by the senate. The commission shall include one, but not more than two, member from each water management district who has resided in the district for at least 1 year and the remainder from the state at large. Membership shall be representative of but not limited to interested groups including agriculture, real estate, environmentalists, the construction industry and lay citizens. The governor shall appoint the chairman, and the vice chairman shall be elected from among the membership. Four members shall be appointed on July 1, 1975, for terms ending July 1, 1979; three members shall be appointed on July 1, 1975, for terms ending on July 1, 1977. All appointments thereafter shall be for 4-year terms. The governor may at any time fill vacancies for the unexpired term. The members of the commission shall serve without compensation but shall be paid travel and per diem as provided in s.112.061, Florida Statutes, while in the performance of their official duties. Administrative personnel and other support services necessary for the commission shall be furnished by the department.

**Section 5.** (1) The governor and cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund and as the owners of state lands are vested with the authority to hear and decide appeals of department decisions under chapter 253, Florida Statutes. Such notice of appeal shall be filed with the governor and cabinet within 15 days of such decision. The hearing shall be appellate in nature; however, the governor and cabinet may, at their discretion, take addi-

tional testimony. Such hearings shall be completed and a decision rendered within 60 days of receipt of the appeal. Hearings shall be in accordance with provisions of chapter 120, Florida Statutes.

(2) The governor and cabinet shall perform the duties now vested in the Pollution Control Board of the Department of Pollution Control, pursuant to the Florida Electrical Power Plant Siting Act, sections 403.509, 403.511, 403.512 and 403.513, Florida Statutes. For the purposes of this subsection the governor shall perform the duties of the chairman of the Pollution Control Board, as defined in section 403.511, Florida Statutes.

#### Section 6. Duties of the Department of Environmental Regulation.—

##### (1) Duties of the commission.—

(a) The commission shall exercise the exclusive standard-setting authority of the department, except as provided in s.6(1)(b) and s.11 of this act. The commission shall also act as an adjudicatory body for final actions taken by the department, except for those appeals and decisions authorized in s.5 of this act.

(b) The commission shall direct the department to have a study conducted of the economic and environmental impact which sets forth the benefits and costs to the public of any proposed standard that would be stricter or more stringent than one which has been set by federal agencies pursuant to federal law or regulation. The commission shall also direct the department to prepare such a study on any standard existing on the effective date of this act which sets a stricter or more stringent standard than one which has been set by federal agencies pursuant to federal law or regulation; all such studies shall be submitted to the governor and cabinet no later than March 1, 1976. Such studies as are provided for in this paragraph shall be submitted to the commission, who shall initially adopt the standards. Final action shall be by the governor and cabinet, who shall accept, reject, modify or remand for further proceedings the standard within 60 days from the submission. Such review shall be appellate in nature. Hearings shall be in accordance with the provisions of chapter 120, Florida Statutes.

(c) The commission shall have final state approval on applications for and disbursements of federal grants.

(2) Duties of the secretary.—In addition to those powers and duties of heads of departments set forth in chapter 20, Florida Statutes, the secretary shall employ legal counsel to represent the department in matters affecting the department. Except for appeals on permits specifically assigned by this act to the governor and cabinet, and unless otherwise prohibited by law, the secretary may delegate the authority assigned to the department by this act to the district managers; provided, for projects qualifying as developments of regional impact pursuant to chapter 380, Florida Statutes, and chapter 22F-2, Florida Administrative Code, the secretary and the Tallahassee office shall perform all the duties relating to the granting, modification or denial of permits under chapter 253 and 403, Florida Statutes, subject to sections 5 and 6(1) of this act.

##### (3) Duties of the divisions.—

(a) The Division of Administrative Services shall perform duties including but not limited to personnel, fiscal, purchasing, education and information.

(b) The Division of Environmental Programs shall perform duties including but not limited to administration, coordination, and supervision of programs relating to planning, grants, air quality, water quality and quantity, noise and solid waste management.

(4) The Division of Environmental Permitting shall perform duties including but not limited to the following: processing of applications for power plant site certifications pursuant to part II, chapter 403, Florida Statutes, and processing of those other classifications of permits, licenses, and certificates which the secretary may designate. The division shall also establish uniform procedures and forms for the orderly determination of decisions relating to permits, licenses, certificates, and exemptions. The division shall provide the necessary technical and legal support to carry out enforcement functions of the depart-

ment. The division shall supervise and direct all district operations.

##### (5)(a) Duties of the environmental district centers.—

Under the supervision of the Division of Environmental Permitting all field services and inspections required in support of the decisions of the department relating to the issuance of permits, licenses, certificates, or exemptions shall be accomplished at the environmental district center level to the maximum extent practicable.

(b) The processing of all applications for permits, licenses, certificates, and exemptions shall be accomplished at the district center, except for those applications specifically assigned to the Division of Environmental Permitting and those applications assigned by interagency agreement as provided in this act.

(c) When the secretary determines that a water management district has the financial and technical capability to carry out water quality and other functions of the department, those powers, duties, and functions or parts thereof, may be contracted or delegated to such water management district. This may include but shall not be limited to planning, regulation and permitting of point sources and nonpoint sources of pollution, and other field services. Any powers, duties and functions so delegated shall be carried out in accordance with the rules, regulations and standards of the department, and shall follow the uniform procedures and forms established by the Division of Environmental Permitting. Nothing contained in this act shall be construed to adversely affect or divest any water management district of the power to levy ad valorem taxes.

Section 7. (1) The secretary is authorized to adopt procedural rules providing for a short form application and issuance at the district center of permits for certain activities. These activities shall include the following and any others established by rule under the Administrative Procedure Act:

(a) Projects not exceeding 4,000 cubic yards of material placed in or removed from the navigable waters of the state;

(b) Dockage or marina facilities not exceeding 20,000 square feet of submerged lands;

(c) New seawalls or similar structures not exceeding 300 linear feet of shoreline;

(d) The installation of buoys, signs, fences, ski ramps, and aids to navigation;

(e) The installation of subaqueous transmission and distribution lines laid on, or embedded in, the bottoms of waters of the state carrying water, electricity, communication cables, oil and gas; and

(f) The performance for 10 years from the issuance of the original permit of maintenance dredging of permitted navigation channels, port harbors, turning basins and harbor berths. The Trustees of the Internal Improvement Trust Fund may fix and recover from the permittee an amount equal to the difference between the fair market value and the actual cost of the maintenance dredging for material removed during such maintenance dredging. Provided, however, no charge shall be exacted by the state for material removed during such maintenance dredging by a public port authority. The removing party may subsequently sell such material, provided that proceeds from such sale that exceed the costs of maintenance dredging shall be remitted to the state and deposited in the Internal Improvement Trust Fund.

(2) No permit under chapters 373, 403, or 253, Florida Statutes, shall be required for activities associated with the following types of projects; however, nothing in this subsection shall relieve an applicant from complying with applicable local pollution control programs authorized under chapter 403, Florida Statutes, or other requirements of county and municipal governments:

(a) The installation of overhead transmission lines, with the support structures not constructed in waters of the state and which do not create a navigational hazard;

(b) The installation of mooring pilings and dolphins associated with private docking facilities, and the installation of

private docks of 500 square feet or less of over-water surface area constructed on pilings so as not to substantially impede the flow or create a navigational hazard, and involving no filling;

(c) The installation of boat ramps on artificial bodies of water where navigational access to the proposed ramp exists;

(d) The replacement or repair of existing docks, provided that no fill material is to be used, and provided that the replacement or repaired dock is in the same location and of the same configuration and dimensions as the dock being replaced or repaired;

(e) Seawalls restored at their previous location or upland of, or with 1 foot waterward of their previous location;

(f) The performance for 10 years from the issuance of the original permit granted prior to July 1, 1975, of maintenance dredging of existing man-made canals, channels and intake and discharge structures where the spoil material is to be removed and deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state; provided that no more dredging is to be performed than is necessary to restore the canal, channels and intake and discharge structures to original design specifications. The Trustees of the Internal Improvement Trust Fund may fix and recover from the permittee an amount equal to the difference between the fair market value and the actual cost of the maintenance dredging for material removed during such maintenance dredging. Provided, however, no charge shall be exacted by the state for material removed during such maintenance dredging by a public port authority. The removing party may subsequently sell such material, provided that proceeds from such sale that exceed the costs of maintenance dredging shall be remitted to the state and deposited in the Internal Improvement Trust Fund.

(g) The maintenance of existing dikes and irrigation and drainage ditches, provided that spoil material is deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material into waters of the state; provided that no more dredging is performed than is necessary to restore the dike, or irrigation or drainage ditch to its original design specifications;

(h) The repair of existing pipes for the purpose of discharging storm water runoff;

(i) Construction of private docks and seawalls in artificially created waterways, where such construction will not violate existing water quality standards, impede navigation or affect flood control; and

(j) The construction and maintenance of swales.

(3) All bulkhead lines heretofore established pursuant to section 253.122, Florida Statutes, are hereby established at the line of mean high water or ordinary high water. There shall be no filling waterward of the line of mean high water or ordinary high water except upon compliance with chapter 253, Florida Statutes.

Section 8. The Department of Pollution Control is transferred by a type three transfer, as defined s.20.06(3), Florida Statutes, to the department except for those duties vested in the governor and cabinet under section 5 of this act, and except that all powers, duties, and functions of the Department of Pollution Control relating to the regulation of open burning connected with rural land clearing, agricultural, or forestry operations (except fires for cold or frost protection) are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the Department of Agriculture and Consumer Services.

Section 9. (1) All powers, duties, and functions of the Bureau of Sanitary Engineering of the Department of Health and Rehabilitative Services not transferred elsewhere by this act, are transferred by a type four transfer as defined in s.20.06(4), Florida Statutes, to the department, except for the following functions which shall remain with the Department of Health and Rehabilitative Services:

(a) Inspection of interstate common carrier water facilities; and

(b) Services relating to public swimming pools and bathing places.

(2) With respect to public water supply and sewage treatment and disposal facilities, the functions of the department

with regard to construction, operation and expansion permitting, monitoring and surveillance, and enforcement where applicable, shall be conducted by the Division of Health or county health unit under interagency agreements delegating functions to said Division of Health or county health unit, to be performed on behalf of the department. Plan review and approval with respect to these functions shall be delegated to those county health units that are determined by the department to be capable of performing this function, provided that same is conducted pursuant to uniform rules and regulations or standards of the department. The interagency agreement shall include provisions regarding the acquisition, flow, use and analysis of data. Plan review and approval relating to major public waterworks or sewage treatment and disposal projects of a regional nature, may be performed directly by the department, if it is determined that same may facilitate the processing and obtaining of any federal funding available for such projects. Alternative interagency agreements may be entered into with county or regional agencies other than county health units in regard to functions other than water supply, where it is determined by the department that said agency is capable of performing the function in lieu of a county health unit.

(3) Nothing in this section shall serve to negate the powers, duties and responsibilities of the secretary of the Department of Health and Rehabilitative Services relating to the protection of the public from the spread of communicable disease, epidemics and plagues.

Section 10. All powers, duties, and functions of the Board of Trustees of the Internal Improvement Trust Fund, relating to the issuance of permits, certificates, licenses, exemptions and enforcement pursuant to chapter 253, Florida Statutes, are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the department.

Section 11. All powers, duties and functions of the Department of Natural Resources relating to water management as set forth in chapter 373, Florida Statutes, and chapter 74-114, Laws of Florida, are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the department, provided that nothing in this transfer shall affect the existence of, or membership on, any water management district board; and provided further that, notwithstanding the provisions of s.373.026(7), Florida Statutes, the governor and cabinet, sitting as the Land and Water Adjudicatory Commission, shall have the exclusive power by a vote of four of the members, to review, and may rescind or modify any rule or order of a water management district, except those rules which involve only the internal management of the water management district, to insure compliance with the provisions and purposes of chapter 373, Florida Statutes. Such review may be initiated at any time by the governor and cabinet, by the secretary, by the Environmental Regulation Commission, or by an interested party aggrieved by such rule or order, by filing a request for such review with the Land and Water Adjudicatory Commission and serving a copy on the water management district. Such request for review is not a precondition to the effectiveness of such rule or order, or to the seeking of judicial review as provided by ss.373.133 and 120.68, Florida Statutes. The powers, duties and functions of the Department of Natural Resources exercised by the Bureau of Water Resources are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the department. All powers, duties and functions of the Department of Natural Resources relating to permits, licenses, and exemptions, pursuant to chapter 253, Florida Statutes, are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the department. All powers, duties and functions of the Department of Natural Resources relating to water management districts, as set forth in chapter 298, Florida Statutes, are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the department; provided, however, that the department shall not have the authority to borrow money, issue notes, or incur indebtedness.

Section 12. Except for the coordination of governmental planning and programming activities, as provided in s.23.012, Florida Statutes, the powers, duties and functions of the Division of State Planning of the Department of Administration, prescribed in part I of chapter 23, Florida Statutes, which relate to the development of the data for the environmental quality portions of the State Comprehensive Plan, are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes,

to the department for those environmental programs which fall under its jurisdiction. Those powers, duties, and functions relating to the development of data for the natural resources portions of the State Comprehensive Plan are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the Department of Natural Resources for those natural resource programs which fall under its jurisdiction.

## PART II

Section 13. Notwithstanding any provision of law to the contrary, the following shall be the divisions of the Department of Natural Resources:

- (1) Division of Administrative Services;
- (2) Division of Marine Resources;
- (3) Division of Recreation and Parks;
- (4) Division of Resource Management; and
- (5) Division of Law Enforcement.

Section 14. Management and organization.—

(1) Within the Department of Natural Resources, there is created the position of assistant executive director, who shall aid in the overall management of the department.

(2) The Division of Marine Resources shall perform all duties currently assigned to the division except law enforcement.

(3) The Division of Resource Management shall perform all powers, duties, and functions of the Division of Interior Resources not transferred elsewhere by this act. The division shall also perform functions including but not limited to preservation, management, and protection of lands held by the state other than parks, recreational and wilderness areas, and shall develop plans and carry out the programs of coastal zone management, utilizing interagency cooperation and agreements to insure the participation of other state and local agencies involved in coastal zone management. The division shall also carry out the responsibilities of boundary determination pursuant to chapter 253, Florida Statutes.

(4) The Division of Recreation and Parks shall preserve, manage, regulate and protect all parks and recreational areas held by the state and may provide these services by contract or interagency agreement for any water management district where the governing board of a water management district designates or sets aside any park or recreation area within its boundaries.

(5) The Division of Law Enforcement shall perform the duties currently assigned to the Bureau of Law Enforcement of the Division of Marine Resources.

Section 15. The Board of Trustees of the Internal Improvement Trust Fund is merged into the Department of Natural Resources, and all of the statutory powers, duties and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Board of Trustees of the Internal Improvement Trust Fund not transferred elsewhere by this act, are transferred to the Department of Natural Resources. Notwithstanding any other provision of law to the contrary, the uncommitted fund balance of the Internal Improvement Trust Fund as of July 1, 1975, and all revenues subsequently accruing from sources now designated by law for deposit in the Internal Improvement Trust Fund shall be deposited in the Land Acquisition Trust Fund created by s.375.041, Florida Statutes, to be used in accordance with chapter 375, Florida Statutes. However, all the powers, duties, and functions of the Board of Trustees of the Internal Improvement Trust Fund relating to trademarks, copyrights, and patents not involving an interest in real property, as enumerated in s.286.021 and s.286.031, Florida Statutes, are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the Department of State.

Section 16. All powers, duties and functions of the Sea Resources Section of the Bureau of Sanitary Engineering of the Division of Health of the Department of Health and Rehabilitative Services relating to but not limited to the regulation of shellfish are transferred by a type four transfer, as defined in s.20.06(4), Florida Statutes, to the Department of Natural Resources; provided that the Department of Health and

Rehabilitative Services shall contract with the Department of Natural Resources for laboratory services.

Section 17. Subsection (17) of section 20.25, Florida Statutes, is amended to read:

20.25 Department of natural resources.—There is created a department of natural resources.

(17) The game and fresh water fish commission functions, prescribed by chapter 372, are transferred by a type one transfer to the department of natural resources. ~~except that the commission shall exercise its powers prescribed by s.9 of Art. IV of the state constitution independently of the head of the department of natural resources. The Department of Natural Resources shall have authority pursuant to the type one transfer to directly supervise, review, and approve the commission's exercise of executive powers in the area of budgeting.~~

Section 18. (1) The powers, duties, staff, and functions of the Florida Coastal Coordinating Council as created in s.370.-0211, Florida Statutes, are hereby reassigned to the Division of Resource Management of the Department of Natural Resources, and the Florida Coastal Coordinating Council is abolished.

(2) All programs, powers, duties, and functions of the Department of Natural Resources, as created under s.20.25, Florida Statutes, and as otherwise provided by law are maintained, except as specifically altered, created, or transferred in this act.

## PART III

Section 19. The heads of the Department of Environmental Regulation and the Department of Natural Resources shall organize the internal structure of their respective departments to conform to the requirements of this act in a manner which will promote efficient and effective operation of the departments. Such internal organization shall be completed prior to March 1, 1976. In accomplishing such organization, the head of each department shall allocate the duties and functions of the department among the divisions which are established by this act, and may, prior to March 1, 1976, establish bureaus, sections, and subsections within such divisions without approval of the Department of Administration. No new bureaus, sections, or subsections may be established within such divisions after March 1, 1976, until approved by the Department of Administration or by law.

Section 20. On or before March 1, 1976, the secretary of the Department of Environmental Regulation shall submit a report to the governor, and the executive director of the Department of Natural Resources shall submit a report to the head of the Department of Natural Resources. The reports shall then be submitted to the speaker of the house of representatives and the president of the senate. The reports shall contain the organization plan of each respective department in effect on March 1, 1976, and a detailed description of the placement within the departmental structure of all of the authorized programs and functions administered or accomplished by each department.

Section 21. The Department of Administration and all other state agencies shall assist and cooperate with the Department of Environmental Regulation and the Department of Natural Resources to ensure the orderly and efficient transfer of the powers, duties, functions, and agencies transferred by this act.

Section 22. Except as provided in sections 403.510 and 403.-511, Florida Statutes, nothing in this act shall be construed to have altered the authority of county and municipal governments as provided by law.

Section 23. (1) Any rule or regulation of a public agency involved in or affected by the reorganization of the executive agencies as set forth in this act, which was valid when adopted under the authority granted by the legislature to adopt such rule, to the extent it is not inconsistent with this act, shall remain in effect until it expires by its terms or is specifically repealed or revised as provided by law.

(2) The provisions of this act shall be incorporated into chapter 20, Florida Statutes, and provisions of chapter 20, Florida Statutes, not repealed by this act shall apply to the agencies created, transferred, or otherwise altered.

(3) Nothing in this act shall alter or affect rights previously vested under chapter 380, Florida Statutes.



Section 24. No legal or administrative proceeding pending as of the effective date of this act shall be abated or delayed because of any transfer made in this act, and any department to which are transferred the powers, duties, and functions of an agency relating to a pending proceeding shall be substituted as a party in interest in such proceeding.

Section 25. All statutory law which names units of government in the various agencies of the executive branch in a manner in conflict with the nomenclature used herein is amended so as to be consistent with the nomenclature used in this act. If any agency, program, power, duty, or function transferred herein is changed in name or substance by another act of the legislature during the 1975 regular session, the agency, program, power, duty, or function, as amended, is transferred in a manner consistent with the intent expressed by this act.

Section 26. Section 20.26, Florida Statutes, Section 20.27, Florida Statutes, 1974 Supplement, and sections 253.122 and 253.136, Florida Statutes, are hereby repealed.

Section 27. The Department of Environmental Regulation and the Department of Natural Resources shall accomplish this reorganization within existing resources and appropriations authorized by the legislature.

Section 28. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 29. This act shall take effect July 1, 1975.

**Conference Committee Amendment 2**—On page 1, line 3, strike all the title and insert: A bill to be entitled An act relating to environmental reorganization; providing a declaration of policy; defining terms; creating the Department of Environmental Regulations; creating environmental districts and authority for subdistricts; creating the Environmental Regulation Commission; providing for appeals under chapter 253 to the governor and cabinet; providing for the governor and cabinet to perform the duties of the Department of Pollution Control Board under the Florida Electrical Power Plant Siting Act; providing for the powers and duties of the Environmental Regulation Commission and the Department of Environmental Regulation; providing procedures for issuing certain permits and licenses; providing for exemption of certain activities from state regulation; providing for the establishment of bulkhead lines; transferring the Department of Pollution Control to the Department of Environmental Regulation except for certain powers, duties and functions vested in the governor and cabinet; transferring certain powers, duties and functions of the Department of Pollution Control relating to open burning to the Department of Agriculture and Consumer Services; transferring certain powers, duties and functions of the Department of Health and Rehabilitative Services to the Department of Environmental Regulation and providing for interagency agreements with county health units; transferring certain powers, duties and functions of the Board of Trustees of the Internal Improvement Trust Fund to the Department of Environmental Regulation; transferring certain powers, duties and functions of the Department of Natural Resources to the Department of Environmental Regulation; prescribing certain planning functions; prescribing organization and duties of the Department of Natural Resources; merging the Board of Trustees of the Internal Improvement Trust Fund into the Department of Natural Resources except for certain powers, duties and functions relating to trademarks, copyrights and patents; providing for the transfer of funds; transferring the powers, duties and functions of the Department of Health and Rehabilitative Services relating to shellfish to the Department of Natural Resources; amending s.20.25(17), Florida Statutes; prescribing the authority of the Department of Natural Resources relating to the Game and Fresh Water Fish Commission; abolishing the Coastal Coordinating Council and reassigning its powers, duties, staff and functions to the Division of Resource Management of the Department of Natural Resources; providing authority for the alignment of units and functions of the Department of Environmental Regulation and the Department of Natural Resources below the division level; requiring reports to the legislature; providing for cooperation among affected agencies; providing for non abrogation of rules and legal or administrative proceedings; repealing s.20.26, Florida Statutes, relating to the creation of the Department of Pollution Control; repealing s.253.136, Florida Statutes, re-

lating to the rules for permitting procedures of the Board of Trustees of the Internal Improvement Trust Fund; repealing s.253.122, Florida Statutes, relating to the fixing of bulkheads; repealing s.20.27, Florida Statutes, 1974 Supplement, relating to the creation and renaming of the Board of Trustees of the Internal Improvement Trust Fund; providing for severability; providing an effective date.

On motion by Senator Lewis Rule 4.5 was waived and the report of the Conference Committee on CS for CS for SB 123 was read a second time.

On motion by Senator Lewis the Conference Committee Report was adopted, and CS for CS for SB 123 passed as recommended. The vote on passage was:

Yeas—37

Mr. President	Graham	Poston	Tobiasen
Brantley	Hair	Renick	Trask
Childers, D.	Johnston	Saunders	Vogt
Childers, W. D.	Lane, J.	Saylor	Ware
Deeb	Lewis	Scarborough	Wilson
Dunn	MacKay	Sims	Winn
Firestone	McClain	Spicola	Zinkil
Gallen	Myers	Stolzenburg	
Glisson	Peterson	Thomas, J.	
Gordon	Plante	Thomas, P.	

Nays—1

Henderson

On motion by Senator Lewis, the rules were waived and CS for CS for SB 123 was immediately certified to the House together with the Conference Committee Report.

**Statement by Senate Conferees on CS for CS for SB 123**

The following Senate conferees on Environmental Reorganization question the constitutionality of that portion of the Environmental Reorganization Act of 1975 which transfers all or certain functions of the Game and Fresh Water Fish Commission to the Department of Natural Resources. The Conference Committee considering the Act approved the House terminology on this point only because this one relatively minor and questionable issue was delaying the adoption of this extremely important piece of legislation. Therefore, we urge that the Governor and the Commission—in accordance with its constitutional responsibilities—take the necessary steps to determine the constitutionality of this portion of the Act so that Florida's government may proceed in an orderly manner as prescribed by the Constitution and Law.

Philip Lewis  
Guy Spicola  
John Vogt

W. D. Childers  
Jon Thomas

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Dempsey J. Barron, President* May 19, 1975

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for CS for SB 123 as amended by the Conference Committee Report.

*Allen Morris, Clerk*

The bill was ordered engrossed.

*The Honorable Dempsey J. Barron, President* May 16, 1975

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Renick—

**SB 629**—A bill to be entitled An act relating to taking of marine corals and sea fans; amending s.370.114(1), (2), Florida Statutes, 1974 Supplement; providing that it is unlawful for a person to take, sell, destroy, or possess a certain amount of specimens; providing an exception to the limitation on the amount of specimens allowed; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Substitute Amendment 2**—On page 2, lines 12 and 13, strike all of said lines and renumber the subsequent section

On motion by Senator Brantley, the Senate refused to concur in the House amendment to SB 629, and the House was requested to recede therefrom. The action, with the bill and amendment, was certified to the House.

Senator W. D. Childers announced the meeting of the Committee on Commerce scheduled for May 20 from 5:00 p. m. until 8:00 p. m. had been rescheduled for 8:00 p. m. until 10:00 p. m.

On motion by Senator Childers, Rule 2.6 was waived and the Committee on Commerce was authorized to consider SB 866 May 20.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Peterson, by two-thirds vote HB 1223 was withdrawn from the Committee on Agriculture and placed on the calendar.

On motions by Senator Myers, by two-thirds vote Senate Bills 719, 368 and HB 1524 were withdrawn from the Committee on Governmental Operations and placed on the calendar.

On motions by Senator Myers, by two-thirds vote Senate Bills 1007, 1072, 863, 1324 and 1325 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Graham, the rules were waived and the Committee on Education was granted permission to meet from 6:00 p.m. until 12:00 midnight this day instead of 6:00 p.m. until 10:00 p.m. as previously scheduled.

On motion by Senator P. Thomas, by two-thirds vote SB 1293 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Vogt, by two-thirds vote SB 100 was withdrawn from the Committee on Ways and Means and placed on the calendar.

#### REQUESTS FOR EXTENSION OF TIME

The Committee on Governmental Operations requests an extension of 15 days for the consideration of the following:

SB 11 by Senator Poston	SB 217 by Senator Poston
SB 25 by Senator McClain	SB 241 by Senator Gallen
SB 26 by Senator McClain	SB 246 by Senator Gallen
SB 69 by Senator Holloway	SB 247 by Governmental Operations Committee
SB 102 by Senator Glisson	SB 452 by Senator Sims
SB 103 by Senator Glisson	SB 456 by Senator P. Thomas
SB 111 by Senator Saylor	SB 466 by Senator P. Thomas
SB 120 by Senator McClain	SB 468 by Senator P. Thomas
SB 125 by Senator McClain	SB 472 by Senator P. Thomas
SB 187 by Senator Holloway	SB 474 by Senator P. Thomas
SB 194 by Senator Henderson	SB 483 by Senator Lewis
SB 198 by Senator Plante	SB 503 by Senator MacKay
SB 203 by Senator Lewis	
SB 210 by Senator P. Thomas	

The Committee on Judiciary-Criminal requests an extension of 15 days for the consideration of the following:

SB 21 by Senator Vogt	SB 479 by Senator P. Thomas
SB 38 by Senator Wilson	SB 533 by Senator Firestone
SB 113 by Senator Zinkil	SB 559 by Senator Poston
SB 134 by Senator Scarborough	SB 672 by Senator Glisson
SB 147 by Governmental Operations Committee	SB 643 by Senator Gallen
	SB 677 by Senator Deeb
	HB 104 by Representative Haben
SB 225 by Senator Dunn	HB 102 by Representative Haben
SB 264 by Senator Saylor	HB 114 by Representative Haben
SB 281 by Senator Firestone	HB 117 by Representative Haben
SB 381 by Senator D. Childers	
SB 396 by Senator Winn	
SB 399 by Senator Johnston	
SB 499 by Senator Deeb	

HB 120 by Representative Haben	SB 900 by Senator Henderson
HB 150 by Representative Becker	SB 952 by Senator J. Thomas
HB 231 by Representative Smith	HB 210 by Representative Hazelton
HB 1289 by Criminal Justice Committee	SB 969 by Senator Peterson
SB 379 by Senator D. Childers	SB 974 by Senator Brantley
SB 701 by Senator Brantley	SB 977 by Senator Zinkil
HB 149 by Representative Dixon	SB 985 by Senator Dunn
SB 728 by Senator Scarborough	SB 998 by Senator McClain
SB 743 by Senator Poston	SB 1002 by Senator Dunn
SB 761 by Senator Lewis	SB 1024 by Senator Glisson
SB 773 by Senator Tobiasen	SB 1030 by Senator Saunders
SB 774 by Senator Tobiasen	SB 1033 by Senator Zinkil
SB 787 by Senator Vogt	SB 1037 by Senator Deeb
SB 789 by Senator Vogt	SB 1058 by Senator J. Thomas
SB 812 by Senator Wilson	SB 1071 by Senator Dunn
SB 243 by Senator Gallen	SB 1103 by Senator Dunn
SB 826 by Senator MacKay	SB 1117 by Senator Zinkil
SB 837 by Senator Sims	SB 1123 by Senator McClain
SB 897 by Senator Dunn	SB 1126 by Senator Ware
	SB 1144 by Senator Gordon
	SB 1186 by Senator Gordon
	SB 1251 by Senator P. Thomas
	SB 1257 by Senator Vogt

#### SPECIAL ORDER

**HB 2100**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1975 and ending June 30, 1976, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 216.292, 216.301, 27.34(2), 27.54(3), 215.-32(2)(c), 216.011(1)(c), 216.181 and 402.17(3), F.S.; and suspending sections 216.262, 216.351, 216.292, F.S., for the Division of Universities and Administered Funds; providing an effective date.

—having been read the second time and amended May 14, was taken up together with pending Amendment 1GG to Amendment 1 which failed.

On motion by Senator Johnston the Senate reconsidered the vote by which Amendment 1EE was adopted on May 14. Senator Gordon withdrew Amendment 1EE.

Senator Gordon moved the following amendments to Amendment 1 which were adopted:

**Amendment 1HH**—On page 20, line 342A; after paragraph ending "the next biennium" insert: The Board of Regents shall thoroughly examine the procedures being used to administer the universities and shall effect changes in those procedures to achieve a reduction in the amount of manpower devoted to academic administration, leading to a reduction in administrative costs per student and the maximum possible involvement of academically qualified administrators in the teaching process, even if on a part-time basis. Manpower which can be released from administration will be transferred to instruction. The Board of Regents shall submit a report to the Legislature by 1 March 1976 describing progress in achieving the above objectives.

**Amendment 1II**—On page 27, under "HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF" Paragraph number 2 Strike "administrative direction and support" and insert: non-direct client service

Senators Saylor, McClain, Deeb, D. Lane, Barron, Trask, Gallen, Plante and Brantley offered the following amendment which was moved by Senator Saylor and adopted:

**Amendment 1JJ**—On page 28, above item 480, insert: Proviso: Funds appropriated in line item 480 through 499 may be used to locate and construct other temporary facilities for adult inmates committed to state correctional institutions. This shall include the rental or purchase of materials, equipment, buildings, barracks, hangars, and tents. The division is authorized to contract with United States military installations in the state for the housing of inmates.

Senators Myers and Deeb offered the following amendment to Amendment 1 which was moved by Senator Myers and failed:

**Amendment 1KK**—On page 29, after item 513 insert: Item 513A For Youth Runaway Program—participation in Texas-based hot line program, publicity and related expenses to continue Florida's participation in the relay message system for runaway youths.

\$20,000

#### Senator Scarborough presiding

On motion by Senator Myers, the Senate reconsidered the vote by which Amendment 1KK failed. The question recurred on Amendment 1KK which was adopted.

Senators McClain, J. Lane and Spicola offered the following amendment to Amendment 1 which was moved by Senator McClain and failed:

**Amendment 1LL**—On page 31 insert following item 554: Provided, that the funds appropriated in items 550 through 554 shall be used to maintain the Florida Mental Health Institute located at Tampa, Florida, as primarily a training and research facility for which it was designed.

Senators Gallen, Johnston, Spicola, Hair and McClain offered the following amendment to Amendment 1 which was moved by Senator Gallen and failed:

<b>Amendment 1MM</b> —On page 42, strike Items 757, 758, 759, 760, 760A, 762 and Proviso and insert: Item 757	
Salaries and Benefits	58
From General Revenue Fund	889,292
From Grants and Donations Trust Fund	125,512
Item 758	
Other Personal Services	
From General Revenue Fund	13,269
From Grants and Donations Trust Fund	86,375
Item 759	
Expenses	
From General Revenue Fund	213,810
From Grants and Donations Trust Fund	214,540
Item 760	
Operating Capital Outlay	
From General Revenue Fund	41,390
From Grants and Donations Trust Fund	300
Item 762	
Data Processing Services	
From General Revenue Fund	168,130

Senator Spicola moved that the Senate reconsider the vote by which Amendment 1LL failed. The motion failed by the following vote:

Yeas—14

Brantley	Lewis	Renick	Vogt
Childers, W. D.	McClain	Spicola	Ware
Hair	Peterson	Thomas, P.	
Lane, J.	Plante	Trask	

Nays—16

Childers, D.	Henderson	MacKay	Stolzenburg
Dunn	Holloway	Myers	Wilson
Firestone	Johnston	Poston	Winn
Graham	Lane, D.	Scarborough	Zinkil

Senator Graham moved the following amendment to Amendment 1 which was adopted:

**Amendment 1NN**—On page 46, Item 835 following the last proviso insert: Provided that the Department of Administration may transfer any funds appropriated for appellate hearings from Item 827 Lump Sum for the twelfth judicial circuit to Item 825 Lump Sum for the tenth judicial circuit notwithstanding Section 27.51(4)(b), Florida Statutes.

Senator Plante moved the following amendment to Amendment 1 which was adopted:

**Amendment 1-OO**—On page 47 items 848, 849, 850, strike "8,570,341 5,650,833 3,025,514" and insert: 8,145,341 5,370,833 2,865,514

Senators Sims and Plante offered the following amendment to Amendment 1 which was moved by Senator Sims and failed:

**Amendment 1PP**—On page 47, strike all of item 850A.

On motion by Senator Saunders, the rules were waived and time of adjournment was extended until final action on HB 2100.

On motion by Senator Saunders, the rules were waived and Subcommittee B of the Committee on Ways and Means was granted permission to meet at 7:00 a.m. May 20 to consider Senate Bills 810, 868, 1013 and 1200.

Senator Brantley moved that the Senate reconsider the vote by which Amendment 1-OO was adopted. The motion was adopted by the following vote:

Yeas—24

Brantley	Hair	Myers	Spicola
Childers, D.	Henderson	Peterson	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Gallen	Lane, J.	Renick	Trask
Gordon	Lewis	Saunders	Vogt
Graham	MacKay	Scarborough	Wilson

Nays—12

Deeb	Johnston	Sayler	Ware
Firestone	Lane, D.	Sims	Winn
Glisson	Plante	Stolzenburg	Zinkil

The question recurred on Amendment 1-OO which failed.

Senator D. Lane moved the following amendment to Amendment 1:

**Amendment 1QQ**—On page 50, Items 893, 895, 896, strike "893 Salaries & Benefits 624 positions 2,596,442 895 Expenses 84,686 896 Operating Capital Outlay 6,492"

From General Revenue Fund	2,596,442
From General Revenue Fund	84,686
From General Revenue Fund	6,492

and insert:

893 Salaries & Benefits 626 positions	
From General Revenue Fund	2,609,047
895 Expenses	
From General Revenue Fund	97,186
896 Operating Capital Outlay	
From General Revenue Fund	28,992

The amendment failed by the following vote:

Yeas—12

Deeb	Lane, D.	Sims	Thomas, P.
Glisson	Plante	Stolzenburg	Winn
Henderson	Scarborough	Thomas, J.	Zinkil

Nays—17

Childers, D.	Hair	Poston	Vogt
Firestone	Holloway	Saunders	Wilson
Gallen	Lewis	Sayler	
Gordon	MacKay	Spicola	
Graham	Myers	Tobiassen	

Senator P. Thomas moved the following amendment to Amendment 1 which failed:

**Amendment 1RR**—On page 50, Items 893, 895, 896, strike "893 Salaries and Benefits 4,451,800 From State Game Trust Fund



895 Expenses	
From State Game Trust Fund	2,992,450
896 Operating Capital Outlay	
From State Game Trust Fund	367,843"

and insert:

893 Salaries and Benefits	
From State Game Trust Fund	4,529,384
895 Expenses	
From State Game Trust Fund	3,144,700
896 Operating Capital Outlay	
From State Game Trust Fund	389,263

Senator P. Thomas moved the following amendments to Amendment 1 which were adopted:

Amendment 1SS—On page 56, Items 1036, 1038 & 1040, strike	
“Salaries and Benefits 110 Positions	
From General Revenue Fund	941,394
From Administrative Trust Fund	228,056
Expenses	
From Administrative Trust Fund	183,310
Operating Capital Outlay	
From Administrative Trust Fund	5,466"

and insert:

Salaries and Benefits 116 Positions	
From General Revenue Fund	980,759
From Administrative Trust Fund	233,056
Expenses	
From Administrative Trust Fund	201,460
Operating Capital Outlay	
From Administrative Trust Fund	8,939

Amendment 1TT—On page 57, Items 1053, 1055 & 1056, strike	
“Salaries and Benefits 460 Positions	
From General Revenue Fund	4,772,135
Expenses	
From General Revenue Fund	1,278,696
Operating Capital Outlay	
From General Revenue Fund	60,175"

and insert:

Salaries and Benefits 454 Positions	
From General Revenue Fund	4,727,770
Expenses	
From General Revenue Fund	1,260,546
Operating Capital Outlay	
From General Revenue Fund	56,702

Senator Glisson moved the following amendment to Amendment 1 which failed:

Amendment 1UU—On page 60, insert: 1107A Special Categories—Cross and Sword	
From General Revenue Fund	\$10,000

Senators J. Lane and Spicola offered the following amendment to Amendment 1 which was moved by Senator J. Lane and adopted:

Amendment 1VV—On page 63, Section 2, line item 4, insert line item 4A to read as follows: There is hereby appropriated to the Department of General Services the sum of the proceeds from the sale of the Green State Office Building, Tampa, for the purpose of land acquisition and/or construction of the new Tampa Regional Service Center.

Senator Glisson moved the following amendment to Amendment 1 which failed:

Amendment 1WW—On page 63, after item 1183 insert: counties	
1184 Lunacy proceedings, criminal prosecutions and Habeas Corpus cases	
From General Revenue Fund	75,000
Provided, however, that this appropriation is for the purpose of funding section 57.091, Florida Statutes, and is contingent on the passage of Senate Bill 92 or a similar House Bill.	

Senators D. Childers, Johnston, J. Thomas, Dunn, Ware, Sayler, Sims, Deeb, Zinkil, Brantley, Lewis, D. Lane and Hair offered the following amendment to Amendment 1 which was moved by Senator Ware and adopted:

Amendment 1XX—On page 64, item 18A, strike all of item 18A, and insert:

18A Fixed Capital Outlay	
Completion Court Complex—Dade County	
Youth Detention Center	
From General Revenue Fund	112,000
18B Fixed Capital Outlay	
Brevard County Youth Detention Center	
From General Revenue Fund	17,000
18C Fixed Capital Outlay	
Seminole County Youth Detention Center	
From General Revenue Fund	8,000
18D Fixed Capital Outlay	
Palm Beach County Youth Detention Center	
From General Revenue Fund	192,000
18E Fixed Capital Outlay	
Lee County Youth Detention Center	
From General Revenue Fund	75,000
18F Fixed Capital Outlay	
Leon County Youth Detention Center	
From General Revenue Fund	16,000
18G Fixed Capital Outlay	
Alachua County Youth Detention Center	
From General Revenue Fund	15,000
18H Fixed Capital Outlay	
Volusia County Youth Detention Center	
From General Revenue Fund	32,000
18I Fixed Capital Outlay	
Polk County Youth Detention Center	
From General Revenue Fund	37,000
18J Fixed Capital Outlay	
Marion County Youth Detention Center	
From General Revenue Fund	14,000
18K Fixed Capital Outlay	
St. Lucie County Youth Detention Center	
From General Revenue Fund	28,000
18L Fixed Capital Outlay	
Broward County Youth Detention Center	
From General Revenue Fund	53,000
18M Fixed Capital Outlay	
Duval County Youth Detention Center	
From General Revenue Fund	86,000
18N Fixed Capital Outlay	
Pinellas County Youth Detention Center	
From General Revenue Fund	96,000

Senator J. Lane moved the following amendment to Amendment 1 which was adopted:

Amendment 1YY—On page 65, Section 3, strike entire section 3 and merge each line item into section 2 on page 63

#### The President presiding

Senators Sayler, Ware, Barron, Trask, Glisson, Brantley, Deeb, Lewis, Wilson, Peterson, Plante, Tobiassen and D. Lane offered the following amendment to Amendment 1 which was moved by Senator Sayler:

Amendment 1ZZ—On page 68, Item 30, add a new section 30 and renumber

#### Section 30

Provided, however, that all general revenue appropriated herein except for debt service appropriations are reduced by seven tenths of one percent.

Senator Saunders raised a point of order stating that when a bill such as the general appropriations bill is being considered and amended item by item and section by section an amendment attempting to amend all items collectively would be out of order.

The President ruled the point well taken.

The Journal of May 16 was corrected and approved as follows:

Page 321, line 30 counting from the bottom of column 1, strike "P" and insert: J

Page 321, column 2, line 17, strike "320" and insert: 230

#### CO-INTRODUCERS

Senators Sayler and Hair were recorded as co-introducers of

Senate Bills 756 and 758, Senator Ware as a co-introducer of Senate Bills 1044, 1077, 1316, 1317 and 1318.

Senator Brantley moved that the Senate do now adjourn, which was agreed to and the Senate adjourned at 6:42 p.m. to convene at 8:30 a.m., May 20, 1975 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., May 20, 1975.

### LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE

MAY 9, 1975 THROUGH MAY 15, 1975

*Name & Address; Entity Represented & Address if different: Legislation Involved; Association with Legislator if any*

Allen, John T., Jr. 4508 Central Ave. St. Petersburg 33711 Pinellas County Pinellas County Administration Bldg. Clearwater All "water" legislation

Birchfield, W. O. 1700 Barnett Bank Bldg. Jacksonville 32202 Fla. Elec. Coop. Asso. PO Box 590 2916 Apalachee Pkwy. Tallahassee All

Brady, Steven Mark 5019 Romilly Dr. East Jacksonville 32210 Community Colleges 4501 Capper Rd. Jacksonville 32218 Education

Brautigan, Paul R. 2571 Executive Center Circle East Tallahassee 32301 Florida Board of Building Codes and Standards

Brown, Arthur A. "Bud" Box 22125 Fort Lauderdale 33316 Southern Yacht Brokers Association 2260 SE 17 St. Fort Lauderdale 33316 Boats Yachts Ships Fishing and any marine or water oriented activity

Brown, Stephen A. 2619 Melson Ave. Jacksonville 32205 Community Colleges FJC—North Jacksonville 32218 Community college education

Cherry, Mrs. Linda Z. PO Box 1079 Live Oak 32060 Florida Conservative Union Inc. General

Dehnert, Robert E. 10753 SW 77 Ct. Miami 33156 Miami Dade Community College 300 NE 2nd Ave. Miami Higher education also United Farm Workers AFL-CIO 820 S. Delaney Ave. Avon Park 33825 Representative for principal's interests

Fields, John D. 1839 Miccosukee Rd. Tallahassee 32303 Self "The total concept"

Goodrum, Daniel S. 25 South Andrews Ave. Ft. Lauderdale 33302 Fla. Bankers Assoc. 505 N. Mills Ave. Orlando 32803 Banking legislation

Hart, Lucious S. 1913 W. 19 St. Jacksonville Self All legislation

*Name & Address; Entity Represented & Address if different: Legislation Involved; Association with Legislator if any*

Hastings, James E. 3280 Ponce de Leon Blvd. Coral Gables 33134 The Wackenhut Corporation Security guard regulation

Israel, Susan Faith Box 105 So. Campus Beach Blvd. Jacksonville 32216 Community Colleges S. Campus Jacksonville Education

Miles, Riley S. PO Box 1330 911 Main St. Kissimmee 32741 Water Users Association of Fla. Inc. Water resources and related land use

Murphy, John P. 234 E. 7th Ave. Tallahassee 32303 Florida Polygraph Association SB 947

Nix, Ronald Russell Building 64 Kent Center Roosevelt Jacksonville 33305 Community Colleges FJC Education

Parrish, Michael M. The Capitol Tallahassee 32304 Department of Legal Affairs Attorney General

Ross, William C. 601 Court St. Clearwater 33516 Pinellas County 315 Haven St. Clearwater 33516 Emergency medical svcs

Scott, Thomas A. Box 2842 St. Petersburg 33731 City of St. Petersburg, Fla. Airports

Senterfitt, Donald T. PO Box 231 Orlando 32802 Florida Bankers Association 505 N. Mills Ave. Orlando 32803 Banking legislation

Smith, Patti Levine 8161 Driggers St. Jacksonville Community Colleges Education

Ware, Daniel D. Bldg. 64 FJC Kent Center Jacksonville 32205 Community Colleges FJC Education

Wright, Parke Florida Ave. Tampa 33601 Lykes Bros. PO Box 2879 Tampa 33601 General

Wright, Thomas G., Jr. 214 Municipal Bldg. St. Petersburg 33701 City of St. Petersburg Municipal government